

IIQ-9

DEPARTMENT OF PUBLIC SAFETY

INTEROFFICE MEMORANDUM

Date 04-26-85

TO: W. A. Cowan, Jr., Commander, CIS
FROM: Ronald E. Boyter, Investigator #2437
SUBJECT: MEETING WITH FEDERAL AUTHORITIES IN AUSTIN CONCERNING ALLEGATIONS OF POSSIBLE CORRUPTION IN THE MC LENNAN COUNTY DISTRICT ATTORNEY'S OFFICE

Division CLE

On 4-26-85, this writer met in Austin with the following persons: Commander W. A. Cowan; Assistant Commander Joe Murphy; FBI Supervisor A. L. Robinson; FBI Agent Bob Zane; IRS Criminal Investigations Supervisor Bob Morgan; Assistant U. S. Attorney Jan Patterson; and Sergeant Tommy Davis. The purpose of the meeting was a discussion of allegations and possible evidence which alleges that the McLennan County District Attorney, Vic Feazell, may be dismissing misdemeanor and felony criminal cases for financial gain.

The following topics and criminal cases were discussed:

1. DWI Case on DARRYL BANAS. Case filed by Waco Police Department on subject Banas. Banas was interviewed on 1-21-85, by Investigator Boyter and Detective Trantham, Waco Police Department, re-ferece allegations that his Attorney, Ray Black, had offered to have his DWI and Marijuana cases dismissed for \$3,000. Banas declined to cooperate and was advised that he would be committing a felony grade offense if he carried out the payment of \$3,000 to his attorney. On 4-25-85, Banas admitted to Detective Trantham that he did pay the \$3,000 to his attorney. As of 4-24-85, there is no disposition on Docket #85-0093 and 85-0095, concerning the two cases on Banas. The speedy trial act has run on these two cases, and there is no speedy trial act waiver in the case file at the McLennan County Courthouse Clerk's Office.
2. DWI case on Mrs. DOROTHY BARRETT. Mrs. Barrett was arrested by the Waco Police Department on 1-30-85 for DWI. Mrs. Barrett took a breath-test with the results being 0.17%. Mrs. Barrett contacted Attorney Guy Cox, Waco, who advised Mrs. Barrett that she could contact Attorney Dick Kettler, who could get her DWI case dismissed for \$5,000. Mrs. Barrett is believed to have contacted Attorney Dick Kettler and paid the \$5,000. Mrs. Barrett's case was reset for trial on 4-11-85, and there is no speedy trial act waiver in the case folder at the McLennan County Clerk's Office. The speedy trail act will run on 4-29-85. The Docket number of the Barrett case is 85-0382.

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3. Waco Police Department Case #85-02-05275, a DWI, on DARRYL GLENN TRUAX. Darryl Glenn Truax was arrested by the Waco Police Department for DWI on 2-8-85. Darryl Truax consented to a breath test with the results being 0.19%. Darryl Truax had just gotten off probation for DWI in McLennan County. Information received that the father of Darryl Truax, a Mr. Glenn S. Truax, 321 Johnson Street, Hewitt, Texas, had borrowed \$4,000 and deposited it to his home account. Mr. Truax is alleged to have stated that he paid \$4,000 to Vic Feazell to have this case dismissed. There was a draw of \$4,000 on his account, allegedly to pay this amount. As of 4-25-85, there has been no case filed on Darryl Glenn Truax in McLennan County.
4. Docket #84-2295. Edwin Loyd Perry was arrested by the Texas Highway Patrol on 8-29-84 for DWI. Subject Perry refused to take a breath test. Perry allegedly told Darla Sadler, an ex-employee of the McLennan County District Attorney's Office, that he had paid \$2,500 in 100 dollar bills to have this case dismissed. On 10-31-84, this DWI case was dismissed by the McLennan County District Attorney's Office for insufficient evidence. On 10-21-84, Edwin Loyd Perry was arrested by the Waco Police Department for DWI. Perry consented to a breath test, with the results being 0.15% Perry had further related to Darla Sadler that he was going to have to cash some CD's in order to pay this one off. As of 4-25-85, this second DWI case has not been filed with the McLennan County Court by the District Attorney's Office.